

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Monty Jones,

Civ. No. 19-2803 (DSD/BRT)

Plaintiff,

v.

**REPORT AND
RECOMMENDATION**

Aeon and Affiliates, Juanita Sealy,
Tai Giwa, and Megan Cihra,

Defendants.

In an order dated January 6, 2020, this Court ordered Plaintiff Monty Jones to provide service information for Defendants. (Doc. No. 4, Order & R. & R. (“January Order”) 14–15.) Jones was given 30 days to provide this service information, failing which it would be recommended that this action be dismissed without prejudice for failure to prosecute. *See* Fed. R. Civ. P. 41(b).

That deadline has now passed, and Jones has not provided the requested service information.¹ Accordingly, this Court now recommends, in accordance with its prior Order, that this action be dismissed without prejudice under Rule 41(b) for failure to prosecute. *See Henderson v. Renaissance Grand Hotel*, 267 F. App’x 496, 497 (8th Cir. 2008) (per curiam) (“A district court has discretion to dismiss an action under Rule 41(b)

¹ The Court’s initial mailing of the January Order to Jones was returned to the Court as undeliverable. The Clerk of Court updated Jones’s address and resent the January Order to him on February 10, 2020.

for a plaintiff's failure to prosecute, or to comply with the Federal Rules of Civil Procedure or any court order.").

RECOMMENDATION

Based upon the foregoing, and on all of the files, records, and proceedings herein, **IT IS HEREBY RECOMMENDED** that this action be **DISMISSED WITHOUT PREJUDICE** under Federal Rule of Civil Procedure 41(b) for failure to prosecute.

Dated: March 12, 2020

s/ Becky R. Thorson
BECKY R. THORSON
United States Magistrate Judge

NOTICE

Filing Objections: This Report and Recommendation is not an order or judgment of the District Court and is therefore not appealable directly to the Eighth Circuit Court of Appeals.

Under Local Rule 72.2(b)(1), "a party may file and serve specific written objections to a magistrate judge's proposed finding and recommendations within 14 days after being served a copy" of the Report and Recommendation. A party may respond to those objections within 14 days after being served a copy of the objections. *See* Local Rule 72.2(b)(2). All objections and responses must comply with the word or line limits set forth in Local Rule 72.2(c).